UTAH SOLID AND HAZARDOUS WASTE CONTROL BOARD SOLID WASTE PERMIT RENEWAL

CLASS I LANDFILL

Pursuant to the provisions of the *Utah Solid and Hazardous Waste Act*, Title 19, Chapter 6, Utah Code Annotated (UCA) 1953, as amended (the Act) and the *Utah Solid Waste Permitting and Management Rules*, Utah Administrative Code (UAC) R315-301 through 320 adopted thereunder,

SOUTH UTAH VALLEY SOLID WASTE DISTRICT (Lessee and Operator) and UTAH SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION (Land Owner)

are hereby authorized to operate the **Bayview Class I Landfill** located in all of Section 17 and the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 18, Township 9 South, Range 1 West, Salt Lake Base and Meridian, Utah County, Utah as shown and described in the permit renewal application that was determined complete on March 19, 2004.

The operation of the landfill is subject to the condition that **South Utah Valley Solid Waste District** and **Utah School and Institutional Trust Lands Administration** (Permittees) meet the requirements set forth herein.

All references to UAC R315-301 through 320 are to regulations that are in effect on the date that this permit becomes effective.

This permit shall beco	me effective <u>July 1,</u>	2004.	
This permit shall expire at midnight <u>June 30, 2009</u> .			
Signed this	_ day of	, 2004.	
Original Document Signed by Dennis R. Downs on 6/22/04			
	Dennis R. Do	owns, Executive Secretary	

Dennis R. Downs, Executive Secretary Utah Solid and Hazardous Waste Control Board

PERMIT REQUIREMENTS

LANDFILL NAME: Bayview Class I Landfill

LESSEE & OPPERATOR: South Utah Valley Solid Waste District

ADDRESS: PO Box 507

Springville, Utah 84663 - 0507

PHONE NO. 801-489-3027

PROPERTY OWNEER: Utah School and Institutional Trust Lands Administration

OPERATOR NAME: 675 East 500 South, Suite 500

Salt Lake City, Utah 84102 - 2818

OWNER PHONE NO. 801-538-5100

TYPE OF PERMIT: Class I Landfill

PERMIT NUMBER: 9420R1

LOCATION: Landfill site is located in Township 9 South, Range 1 West, all of

Section 17 and the South 1/2 of the Southeast 1/4 of the Northeast 1/2 of Section 18, SLMB; Utah County as shown and described in the permit application, Lat. 40° 02' 00" N, Long. 111° 57' 30" W.

Permit as used in this document is defined in Utah Administrative Code (UAC) R315-301-2(55).

The renewal application, as deemed complete on March 19, 2004, is hereby approved and is incorporated by reference into this Solid Waste Permit. All representations made in the permit renewal application are part of this Permit and are enforceable under UAC 315-301-5(2). The permit renewal application will become part of the operating record of the Landfill. Where differences in wording exist between this Permit and the renewal application, the wording of the Permit supersedes that of the renewal application.

The facility as described in this Permit and the permit renewal application consists of a maintenance building; disposal units for all permitted waste; extensive litter control fencing; and a compost site.

By this Permit to own and operate, the Permittees are subject to the following conditions.

I. GENERAL COMPLIANCE RESPONSIBILITIES

A. <u>General Operation</u>

The Permittees shall operate the landfill in accordance with all applicable requirements of UAC R315-302 and 303, for a Class I landfill, that are in effect on the date the Permit becomes effective unless otherwise noted in this Permit. Any permit noncompliance or other noncompliance constitutes a violation of UAC R315-302 or 303 and is grounds for appropriate enforcement action, permit revocation, modification, or denial of a permit renewal application.

B. <u>Acceptable Waste</u>

This Permit is for the disposal of nonhazardous solid waste that may include, municipal solid waste, commercial waste, industrial waste, construction/demolition waste, and special waste as defined in UAC R315-301-2(17).

The Permittees may accept conditionally exempt small quantity generator hazardous waste as specified in UAC R315-303-4(7)(a)(i)(B) and PCB's as specified by UAC R315-315-7(2).

C. Prohibited Waste

No hazardous waste as defined by UAC R315-1 and R315-2 or PCB's as defined by UAC R315-301-2(53), except as allowed in Section IB (Acceptable Waste) of this Permit, may be accepted for treatment, storage, or disposal at the landfill. Any prohibited waste received and accepted for treatment, storage, or disposal at the facility will constitute a violation of this Permit and UAC R315-303-4(7).

D. Inspections and Inspection Access

The Permittees shall allow the Executive Secretary of the Utah Solid and Hazardous Waste Control Board or an authorized representative of the Board, including representatives from the Utah County Health Department, to enter at reasonable times and:

- 1. Inspect the landfill or other premises, practices or operations regulated or required under the terms and conditions of this Permit or UAC R315-301 through 320;
- 2. Have access to and copy any records required to be kept under the terms and conditions of the Permit or UAC R315-301 through 320;

- 3. Inspect any loads of waste, treatment facilities or processes, pollution management facilities or processes, or control facilities or processes required under the Permit or regulated under UAC R315-301 through 320; and
- 4. Create a record of any inspection by photographic, videotape, electronic, or any other reasonable means.

E. Noncompliance

- 1. If monitoring, inspection, or testing indicates that any permit condition or any applicable rule under UAC R315-301 through 320 may be or is being violated, the Permittees shall promptly make corrections to the operation or other activities to bring the facility into compliance with all permit conditions or rules. In the event of any noncompliance with any permit condition or violation of an applicable rule, the Permittees shall promptly take any feasible action reasonably necessary to correct the noncompliance or violation and mitigate any risk to the human health or the environment. Actions may include eliminating the activity causing the noncompliance or violation and containment of any waste or contamination using barriers or access restrictions, placing of warning signs, or permanently closing areas of the facility. The Permittees shall: document the noncompliance or violation in the operating record, on the day the event occurred or the day it was discovered; notify the Executive Secretary of the Solid and Hazardous Waste Control Board within 24 hours, or the next business day following documentation of the event; and give written notice of the noncompliance or violation and measures taken to protect public health and the environment within seven days of Executive Secretary notification. Within thirty days of the documentation of the event, the Permittees shall submit, to the Executive Secretary, a written report describing the nature and extent of the noncompliance or violation and the remedial measures taken or to be taken to protect human health and the environment and to eliminate the noncompliance or violation. Upon receipt and review of the assessment report, the Executive Secretary may order the Permittees to perform appropriate remedial measures including development of a site remediation plan for approval by the Executive Secretary.
- 2. In an enforcement action, the Permittees may not claim as a defense that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with UAC R315-301 through 320 and this Permit.
- 3. Compliance with the terms of this Permit does not constitute a defense to actions brought under any other local, State, or Federal laws. This Permit

does not exempt the Permittees from obtaining any other local, State or Federal permits or approvals.

- 4. The issuance of this Permit does not convey any property rights, other than the rights inherent in this Permit, in either real or personal property, or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations including zoning ordinances.
- 5. The provisions of this Permit are severable. If any provision of this Permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this Permit to any circumstance is held invalid, its application to other circumstances shall not be affected.

F. Revocation

- 1. This Permit is subject to revocation if any condition of the Permit is not being met. The Permittees will be notified in writing prior to any proposed revocation action and such action will be subject to all applicable hearing procedures established under UAC R315-12 and the *Utah Administrative Procedures Act*.
- 2. Revocation of this Permit does not revoke the financial assurance established for closure and post-closure care of the facility, nor remove any responsibility for completion of closure and post-closure care for the facility required in UAC R315-302-3.

G. <u>Attachment Incorporation</u>

Attachments incorporated by reference are enforceable conditions of this Permit, as are documents incorporated by reference into the attachments. Language in this Permit supercedes any conflicting language in the attachments or documents incorporated into the attachments.

II. DESIGN AND CONSTRUCTION

A. Design and Construction

1. The Permittees shall construct the landfill cells, cell liners, leachate collection system, run-on and run-off diversion systems, and the final cover in accordance with the plans presented in the permit renewal application and the Utah Solid Waste Permitting and Management Rules (UAC R315-301 thru 320). The Permittees shall submit construction design drawings to the Executive Secretary for review prior to

construction of any engineered structure or feature, excluding buildings, and as-built drawings after construction. The as-built construction drawings shall be as detailed as the construction design drawings submitted for the Executive Secretary review. If ground water is encountered during excavation of the landfill, the Executive Secretary shall be notified immediately, and a contingency plan implemented or alternative construction design developed and submitted for approval.

- 2. The Permittees shall notify the Executive Secretary upon completion of construction of any landfill unit, unit liners, or run-on and run-off diversion systems. No landfill unit, unit liners, or run-on and run-off diversion system may be used until as-built documents are submitted and construction is approved by the Executive Secretary.
- 3. The Permittees shall notify the Executive Secretary of the completion of construction of any final cover system and shall provide all necessary documentation and shall apply for approval of the construction from the Executive Secretary.
- 4. All engineering drawings submitted to the Executive Secretary must be stamped and approved by a professional engineer with a current registration in Utah.

B. Run-On Control

Drainage channels and diversions shall be constructed as specified in the permit renewal application and maintained at all times to effectively prevent runoff from the surrounding area from entering the landfill.

III. LANDFILL OPERATION

A. Operations Plan

The Operations Plan included in the permit renewal application and the solid waste permit issued by the Executive Secretary shall be kept onsite at the landfill. The landfill shall be operated in accordance with the operations plan as included in the permit renewal application. If necessary, the facility owner may modify the Operations Plan, provided that the modification meets all of the requirements of UAC R315-301 through 320 and is as protective of human health and the environment as that approved in the permit renewal application. Any modification to the Operations Plan shall be noted in the operating record.

B. <u>Security</u>

The Permittees shall operate the Landfill so that unauthorized entry to the facility is prevented. All facility gates and other access routes shall be locked during the time the landfill is not open. At least two persons, employed by the South Utah Valley Solid Waste District, shall be at the landfill during all hours that the landfill is open. Fencing and any other access controls as shown in the permit renewal application shall be constructed to prevent access of persons or livestock by other routes.

C. <u>Training</u>

The Permittees shall provide training for on-site personnel in landfill operation, including waste load inspection, hazardous waste identification, and personal safety and protection.

D. Burning of Waste

Intentional burning of solid waste is prohibited and is a violation of UAC R315-303-4(2)(b). All accidental fires shall be extinguished as soon as reasonably possible.

E. Daily Cover

The solid waste received at the landfill shall be completely covered at the end of each working day with a minimum of six inches of earthen material.

F. Ground Water Monitoring

The Permittees shall monitor the ground water underlying the landfill in accordance with the Ground Water Monitoring Plan and the Ground Water Monitoring Quality Assurance/Quality Control Plan contained in the permit renewal application and shall otherwise meet the requirements of UAC R315-308. If necessary, the facility owner may modify the Ground Water Monitoring Plan and the Ground Water Monitoring Quality Assurance/Quality Control Plan, provided that the modification meets all of the requirements of UAC R315-308 and is as protective of human health and the environment as that approved in the permit renewal application. Any modification to the Ground Water Monitoring Plan and the Ground Water Monitoring Quality Assurance/Quality Control Plan shall be approved by the Executive Secretary and noted in the operating record.

G. <u>Gas Monitoring</u>

The Permittees shall monitor explosive gases at the landfill in accordance with the gas monitoring procedures contained in the Landfill Operating Plan of the permit

renewal application and shall otherwise meet the requirements of UAC R315-303-3(5). If necessary, the Permittees may modify the gas monitoring procedures, provided that the modification meets all of the requirements of UAC R315-301 through 320 and is as protective of human health and the environment as that approved in the permit renewal application. Any modification to the gas monitoring procedures shall be approved by the Executive Secretary and noted in the operating record.

If the concentrations of explosive gases at any of the facility structures, at the property boundary or beyond, ever exceed the standards set in UAC R315-303-2(2)(a), the Permittees shall immediately take all necessary steps to ensure protection of human health and notify the Executive Secretary. Within seven days of detection, place in the operating record the explosive gas levels detected and a description of the immediate steps taken to protect human health. Implementation of a remediation plan shall meet the requirements as stated in UAC R315-303-3(5)(b) and shall be submitted to and receive approval from the Executive Secretary prior to implementation.

H. Waste Inspections

The Permittee shall visually inspect incoming waste loads to verify that no wastes other than those allowed by this Permit are disposed in the landfill.

Since the waste received for disposal at the landfill comes from transfer stations, the Permittees shall not accept waste except from a transfer station that has a waste inspection program in place and functioning that meets the requirements of UAC R315-303-4(7)(b) and (c).

I. <u>Disposal of Liquids</u>

Disposal of containers of liquids larger than household size (five gallons), noncontainerized material containing free liquids, sludge containing free liquids, or any waste containing free liquids in containers larger than five gallons is prohibited.

J. Disposal of Special Wastes

Animal carcasses may be disposed at the bottom of the landfill working face and must be covered with other solid waste or earth by the end of the operating day they are received or they may be disposed in a special trench or pit prepared for the acceptance of dead animals. If a special trench is used, carcasses placed in the trench shall be covered with six inches of earth by the end of each operating day.

Asbestos waste shall be handled and disposed in accordance with UAC-315-315-2.

If loads of incinerator ash are accepted for disposal it shall be transported in such a manner to prevent leakage or the release of fugitive dust. The ash shall be completely covered with a minimum of six inches of material, or use other methods or material, if necessary, to control fugitive dust. Ash may be used for daily cover when its use does not create human health and environmental hazard.

K. <u>Self Inspections</u>

The Permittees shall inspect the facility to prevent malfunctions and deterioration, operator errors, and discharges that may cause or lead to the release of wastes or contaminated materials to the environment or create a threat to human health. These general inspections shall be completed no less than quarterly and shall cover the following areas: Waste placement, compaction, and cover; cell liner; leachate collection system; fences and access controls; roads; run-on/run-off controls; ground water monitoring wells; final and intermediate cover; litter controls; and records. A record of the inspections shall be placed in the operating record on the day of the inspection. Areas needing correction, as noted on the inspection report, shall be corrected. The corrective actions shall be documented in the daily operating record.

L. <u>Recordkeeping</u>

The Permittees shall maintain and keep on file at the South Utah Valley Transfer Station office, a daily operating record and other general records of landfill operation as required by UAC R315-302-2(3).

- 1. The daily operating record shall include the following items:
 - a. The number of loads of waste and the weights or estimates of weights or volume of waste received each day of operation and recorded at the end of each operating day;
 - b. Major deviations from the approved plan of operation recorded at the end of the operating day the deviation occurred;
 - Results of other monitoring required by this Permit recorded in the operating record on the day of the event or the day the information is received;
 - d. Records of all inspections conducted by the Permittees, results of the inspections, and corrective actions taken shall be recorded in the record on the day of the event;
- 2. The general operating record shall include the following items:

- a. A copy of the Permit including the permit renewal application;
- b. Results of inspections conducted by representatives of the Utah Solid and Hazardous Waste Control Board and/or representatives of the Utah County Health Department, when forwarded to the Permittees;
- c. Closure and Post-closure care plans;
- d. Records of employee training; and
- e. Results of groundwater monitoring; and
- f. Results of landfill gas monitoring.

M. Reporting

The Permittees shall prepare and submit, to the Executive Secretary, an Annual Report as required in UAC R315-302-2(4). The Annual Report shall include: the period covered by the report, the annual quantity of waste received, an annual update of the financial assurance mechanism, a re-application for approval of the financial assurance mechanism, any leachate analysis results, all ground water monitoring results, the statistical analysis of ground water monitoring results, the results of gas monitoring, and all training programs completed.

N. Roads

All access roads, within the landfill boundary, used for transporting waste to the landfill for disposal shall be improved and maintained as necessary to assure safe and reliable all-weather access to the disposal area.

IV. CLOSURE REQUIREMENTS

A. Closure

Final cover of the landfill shall be the alternative final cover design as described and shown in the permit renewal application. The alternative final cover shall be equivalent, or better, than the standard design for closure as specified in UAC R315-303-3(4). Prior to start of construction, the final plans and specifications of the alternative final cover design must be approved by the Executive Secretary.

Prior to construction of any part of the final cover at the landfill, a quality control/quality assurance plan for the construction of the final landfill cover shall

be submitted to, and approval of the plan must be received from the Executive Secretary. A qualified third party shall perform gradation and compaction testing on the soils placed as the final cover.

B. <u>Title Recording</u>

The Permittees shall also meet the requirements of UAC R315-302-2(6) by recording with the Utah County Recorder as part of the record of title that the property has been used as a landfill.

C. <u>Post-Closure Care</u>

Post-closure care at the closed landfill shall be done in accordance with the post-closure care procedures and schedule contained in the permit renewal application. Post-closure care shall continue until all waste disposal sites at the landfill have stabilized and the finding of UAC R315-302-3(7)(c) is made.

D. Financial Assurance

- 1. The approved mechanism, as described in the permit renewal application, shall be kept effective and active by the Permittees. An annual revision of closure costs and financial assurance funding shall be submitted to the Executive Secretary as part of the annual report. The financial assurance trust fund shall be adequately funded to provide for the cost of closure and post-closure care at any stage or phase or anytime during the life of the landfill.
- 2. If the Permittees determine to propose an alternative financial assurance mechanism other than the approved trust fund, the proposed alternative mechanism shall meet the requirements of UAC R315-309 and must be approved by the Executive Secretary prior to becoming effective and active.

E. Financial Assurance Annual Update

An annual revision of closure costs and financial assurance mechanism shall be submitted to the Executive Secretary as part of the annual report. The Permittees shall submit the information as required in UAC R315-309-2(2) and (3) in the annual report required in section III-M of this Permit.

V. ADMINISTRATIVE REQUIREMENTS

A. Permit Modification

Modifications to this Permit may be made upon application by the Permittees or by the Executive Secretary. The Permittees will be given written notice of any permit modification initiated by the Executive Secretary.

B. Permit Transfer

This Permit may be transferred to a new Permittee by meeting the requirements of the permit transfer provisions of UAC R315-310-10.

C. <u>Expansion</u>

- 1. This Permit is for the operation of a Class I or II Landfill according to the design and Operation Plan described and explained in the permit renewal application. Any expansion of the current footprint designated in the description contained in the permit renewal application, but within the property boundaries designated in the permit renewal application, will require submittal of plans and specifications to the Executive Secretary. The plans and specifications must be approved by the Executive Secretary prior to construction.
- 2. Any expansion of the landfill facility beyond the property boundaries designated in the description contained in the permit renewal application will require submittal of a new permit application in accordance with the requirements of UAC R315-310.
- 3. Any addition to the list of acceptable of wastes described in Section IB of this Permit will require submittal of all necessary information to the Executive Secretary and the approval of the Executive Secretary.

D. <u>Expiration</u>

This Permit shall expire five years from the effective date which is the date shown on the signature (first) page of this permit. Application for permit renewal shall be made at least 180 days prior to the expiration of this Permit. If a timely renewal application is made and the permit renewal is not complete by the expiration date, this Permit will continue in force until renewal is completed or denied.